

Notice of Allowability

Application No.

10/685,141

Examiner

Marc S. Zimmer

Applicant(s)

BRAND ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/29/07 and the interview conducted 02/13/07.
2. ☒ The allowed claim(s) is/are 12, 14, 19 and 21-24.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

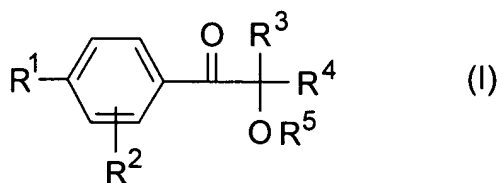
An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Howard Lee on February 13, 2007.

The application has been amended as follows:

Please replace all previous versions of claims 12 and 19 with,

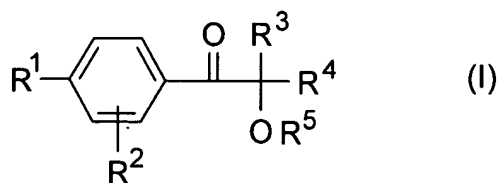
12. A self-adhesive tape with a backing comprising a web material which is at least partially coated with an adhesive coating obtained by curing a radiation curable coating composition comprising at least one radiation-curable organopolysiloxane having (meth)acrylic ester groups and at least one photoinitiator, wherein at least one of the photoinitiator(s) is a compound of the general formula (I)



- R¹ is a linear or branched alkyl radical having 4 to 12 carbon atoms,
 R² is H or an alkyl radical having 1 to 4 carbon atoms,
 R³, R⁴ are H or alkyl radicals, which may also have been linked to form a 5- or 6-membered carbon ring, and
 R⁵ is H or an alkyl or alkanoyl radical.
19. A process of applying an adhesive coating on a web material to form the self-

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adhesive tape of claim 12 which comprise applying a radiation curable organopolysiloxane having methacrylate ester groups containing a photoinitiator to web materials made of plastic, metal or paper and to pass the resulting material through an UV curing unit, wherein the at least one photoinitiator is a compound of the general formula (I)



in which

R¹ is a linear or branched alkyl radical having 4 to 12 carbon atoms,

R² is H or an alkyl radical having 1 to 4 carbon atoms,

R³, R⁴ are H or alkyl radicals, which may also have been linked to form a 5- or 6-membered carbon ring, and

R⁵ is H or an alkyl or alkanoyl radical.

In a telephone interview on the aforementioned date, the Examiner expressed concerns that the language of claim 12, as it was phrased in the amendment of January 29 was imprecise insofar as it seemed to indicate that the organopolysiloxane was to be applied directly to a self-adhesive label. In the context of the Specification, it is clear that the cured organopolysiloxane is applied to a backing that is, in turn, overlaid with the self-adhesive label. Therefore, the invention recited by claim 12 in the January 29 amendment is not properly supported by the Specification. Applicant proposed that the

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claims be amended in the above fashion to address this matter. The Examiner agreed to modify these claims in an Examiner's amendment.

An updated survey of the prior art has been conducted and Okinoshima remains the most germane document. That reference does not describe an equivalent invention inasmuch as the coated products disclosed therein are not to serve as backing materials for self-adhesive webs. Accordingly, claims 12, 14, 19, and 21-24 are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc S. Zimmer whose telephone number is 571-272-1096. The examiner can normally be reached on Monday-Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on 571-272-1302. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

February 15, 2007

A handwritten signature in black ink, appearing to read "Marc S. Zimmer".

MARC S. ZIMMER
PRIMARY EXAMINER